

Women: through the governance lens

Dr. Sania Nishtar

The NEWS International:
Monday, March 08, 2010

Governance
Sania Nishtar

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Although effective governance—or the lack thereof—has an impact on every aspect of our societal, social and economic lives, nowhere is its imprint more vivid than in determining the status of women in a society. This comment uses the International Women's Day, which is being globally observed today as a peg to briefly outline the linkages. This year's theme of the International Women's day, "Equal rights, equal opportunities: progress for all", is particularly relevant to governance, since upholding women's political, economic and social rights and striving towards achieving equity and equality of opportunities in a national political context cannot be ensured without effective governance.

Before we examine the relationship, let us be reminded that the status of women in Pakistan is fraught with an ironic and highly polarized paradox, implicit within which are many inequities and inequalities. These are evident in many areas. On the one hand, women are well-represented in parliament, but on the other, exceptions notwithstanding, this largely represents an extension of elite and feudal capture. The professional institutions of higher learning have 50 per cent or higher enrollment of women, but at the same time, there is a literacy gap of 45 per cent between men and women and educa-

tional opportunities for rural women remain elusive. Similarly, we see a growing number of women in the traditional, male-dominated professions such as engineering, law, medicine, business, the police and the military. But alongside this trend, the nationally representative labour market statistics speak of gender discrepancies, under-remuneration, systemic impediments to mainstreaming women into the country's workforce and restricted employment options outside of the informal sectors for socially marginalized and disadvantaged women. Furthermore, it can be argued—and correctly so with reference to a segment belonging to the higher social stratum—that women appear freer than ever to express themselves in the choice of appearance, speech, clothing, arts and entertainment and that they are becoming increasingly progressive, empowered and globalized. However, many others in their close geographic midst are relegated to the strictest confines of *purdah*, isolation and disempowerment. Moreover, many Pakistani women of today enjoy a better status than most of the Middle Eastern women. But at the same time, those trends, which are true for a minority, haven't changed some of the deep-seated social behaviours and fundamental prejudices against women, which translate both into discrim-

ination as well as some of the severest forms of violence.

Some may argue that violence against women is globally pervasive. Indeed, it may come as no surprise that 70-80 per cent of women in Pakistan encounter domestic violence and that there are an estimated eight cases of rape every 24 hours. However, what is unfortunately unique to Pakistan is the

should be able to break through the strongholds of vested interests, but unfortunately, it sometimes helps to strengthen them.

If the state was governed effectively over the years and Pakistan had sped on the road to development with its economic and social benefits accruing to its population, as has been the case with many Asian countries, if the state had de-

Similarly, standalone gender empowerment programmes, measures to enhance the access of women to financial services, and others for skill enhancement have had limited impact whilst the adverse fundamentals remain unchanged. This is the first, and perhaps the most illustrative of the pathways through which failure of governance can be shown to impact the lives of

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prevalence of some horrific crimes. We generally tend to attribute all these abhorrent practices to our tribal and feudal traditions and norms and to the systemic subordination of women vis-à-vis men. That may well be the case to some extent. However, what is not fully appreciated is the role that many other systemic factors play in perpetuating these traditions. Poverty, illiteracy and social exclusion have a chicken and egg relationship with organised vested interests, of which feudalism is a part, and which promote state capture. A democratic dispensation

livered education universally to its population and if an honest government had weakened the organised vested interests that form the bedrock of undesirable tribal and feudal traditions, perhaps heinous crimes such as honour killings and burying alive, would not be condoned as social customs and tribal traditions today. In the absence of these fundamental attributes, which determine the status of women in a society, the impact of legal reforms to improve the status of women introduced by successive governments has been, at best, marginal.

Here, it must be appreciated that the term governance is the subject of many interpretations, but in the current sense it is being scoped to the policy making and implementation realms and use of public resources and regulatory power.

The status of women and issues implicit within it, also underscore the importance of another governance impediment—one that relates to ensuring compliance with stated policy norms and standards and enforcement of the laws. In theory, Pakistan ensures respect for

women's rights and fundamental freedoms, as is evidenced by the ratification of many global conventions and declarations. These include the Universal Declaration of Human Rights, the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the UN Declaration on the Elimination of Violence. Pakistan's constitution has many provisions, which stipulate that "All citizens are equal before the law and are entitled to equal protection of the law" and that "There shall be no discrimination on the basis of sex alone". Article 25(1) and 25(2) respectively. Also, Article 35 specifically states that "steps shall be taken to ensure full participation of women in all spheres of national life".

Several laws are additionally in place, including the Protection of Women (Criminal Laws Amendment) Act 2006. The experts are of the opinion that although all the discriminatory provisions embodied within earlier statutes were not addressed through this statute, it is nevertheless a step in the right direction. Recently, the Women at Workplace Act 2009 has been enacted which aims to "protect women from harassment and (if intended) to make them feel more secure". In addition, laws are in place to ensure women's right to inheritance—an important element in the socio-economic and political

empowerment of women. However, there are two issues with the implementation of these laws. One set of issues is generic to the implementation of laws in Pakistan. Secondly, the fact that regardless of what the statutes may stipulate, these are conditional on social norms and traditions, which the vast majority of women in the society have to bear with. These issues are further compounded by the biases against women in the criminal justice system—but more important than that, poor performance of the justice system and the relative intransigence with which it dispenses justice to women.

In sum, the status of women is deeply linked with many elements of the society—legal, political, religious, economic, and cultural. Governance can play a key role in shaping most if not all of the societal characteristics through ensuring respect for women's political, economic and social rights.

So, whilst the enlightened women's groups draw attention to horrific crimes and discriminatory practices against women—honour killings, live burials, disfigurement by acid, stove deaths, and other undesirable practices, such as childhood marriages, *uatta satta*, *visi*, marriage to the Quran—to mark the International Women's Day, we should be reminded that quantum leaps in addressing these challenges can only be made with slow and steady structural solutions.

The writer is the founding-president of the NGO think-tank, Heartfile. sania@heartfile.org

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Before we examine the relationship, let us be reminded that the status of women in Pakistan is fraught with an ironic and highly polarized paradox, implicit within which are many inequities and inequalities. These are evident in many areas. On the one hand, women are well represented in the parliament; but on the other, exceptions notwithstanding, this largely represents an extension of elite and feudal capture. Professional institutions of higher learning have 50% or higher enrollment of women; but at the same time, there is a literacy gap of 45% between men and women and the opportunities for rural women's education remain elusive. Similarly, we see a growing number of women in traditional male-dominated professions such as engineering, law, medicine, business, the police and the military. But alongside this trend, nationally representative labor market statistics speak of gender discrepancies, under-remuneration, systemic impediments to mainstreaming women into the country's workforce and restricted employment options outside of the informal sectors for socially marginalized and disadvantaged women. Furthermore, it can be argued—and correctly so with reference to a segment belonging to the higher social stratum—that women appear freer than ever to express themselves in the choice of appearance, speech, clothing, arts, entertainment and that they are becoming increasingly progressive, empowered and globalized. However others and in their close geographic midst are relegated to the strictest confines of *purdah*, isolation and disempowerment. Moreover many Pakistani women of today enjoy a better status than most Middle Eastern Women. But at the same time these trends, which are true for a minority, haven't

changed some of the deep-seated social behaviours and fundamental prejudices against women, which translate both into discrimination as well as some of the severest forms of violence.

Some may argue that violence against women is globally pervasive. Indeed it may come as no surprise that 70-90% of women in Pakistan encounter domestic violence and that there are an estimated 8 cases of rape every 24 hours in view of similar, and sometimes worse statistics in other countries. However, what is unfortunately unique to Pakistan is the prevalence of some horrific crimes.

We generally tend to attribute all these abhorrent practices to our tribal and feudal traditions and norms and to the systemic subordination of women vis-à-vis men. That may well be the case to some extent. However, what is not fully appreciated is the role that many other systemic factors play in perpetuating these traditions. Poverty, illiteracy, and social exclusion have a chicken and egg relationship with organized vested interests, of which feudalism is a part, and which promote state capture. A democratic dispensation should be able to break through the strongholds of vested interest, but unfortunately it sometimes helps to strengthen it.

If the state was governed effectively over the years and Pakistan had sped on the road to development with its economic and social benefits accruing to its population, as has been the case with many Asian tigers; if the state had delivered education universally to its population and if an honest hand of the government had weakened the organized vested interests that form the bedrock of undesirable tribal and feudal traditions, perhaps heinous crimes such as honor killings and burying alive, would not be condoned as social customs and tribal traditions today. In the absence of these fundamental attributes, which determine the status of women in a society, the impact of legal reforms to improve the status of women introduced by successive governments has been, at best, marginal. Similarly, standalone gender empowerment programs, measures to enhance access of women to financial services, and others for skill enhancement have had limited impact whilst the adverse fundamentals remain unchanged. This is the first, and perhaps the most illustrative of the pathways through which failures of governance can be shown to impact the lives of women. Here it must be appreciated that the term governance is the subject of many interpretations, but in the current sense it is being scoped to the policy making and implementation realms and use of public resources and regulatory power.

The status of women and issues implicit within it, also underscore the importance of another governance impediment—one that relates to ensuring compliance with stated policy norms and standards and enforcement of laws. In theory, Pakistan ensures respect for women's human rights and fundamental freedoms, as is evidenced by the ratification of many global conventions and declarations. These include the Universal Declaration of Human Rights, the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the UN Declaration on the Elimination of Violence. Pakistan's Constitution has many provisions, which stipulate that "All citizens are equal before the law and are entitled to equal protection of the law" and that "There shall be no discrimination on the basis of sex alone" Article 25(1) and 25 (2) respectively. Article 35 specifically states that "steps shall be taken to ensure full participation of women in all spheres of national law".

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However, there are two issues with the implementation of these laws. One set of issues is generic to implementation of laws in Pakistan. Secondly, the fact that regardless of what the statutes may stipulate, these are conditional on social norms and traditions, which the vast majority of women in the society have to bear with. These issues are further compounded by the biases against women in the criminal justice system—but more important than that poor performance of the justice system and the relative intransigence with which it dispenses justice to women.

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